

## REMARKS

### INTRODUCTION

In accordance with the foregoing, no claims have been canceled, claims 1-3, 22 and 25 have been amended, and no claims have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-25 are pending and under consideration. Reconsideration is respectfully requested.

### OBJECTIONS TO THE CLAIMS

At page 2 of the Office Action, claims 1-3 were objected to. Claims 1-3 have been amended as suggested by the Examiner. Accordingly, the outstanding objections should be resolved. Reconsideration and withdrawal of the outstanding objections are respectfully requested.

### REJECTION UNDER 35 U.S.C. §102

At page 2 of the Office Action, claims 1 and 22 were rejected under 35 U.S.C. §102(b) in view of U.S. Patent No. 6,891,528 issued to Houston. Claim 22 has been amended for clarification. However, as the cited art may still relate to claim 22, and with respect to claim 1, this rejection is traversed and reconsideration is respectfully requested for at least the following reasons.

Independent claim 1 recites, inter alia:

a base pin protruding from a second part of the key body and touching the key signal input plate so as to let the key signal input plate sense that the key is operated; and

at least one identification pin spaced from the base pin and touching or not touching the key signal input plate so as to output the specific signal corresponding to the symbol.

Amended independent claim 22 recites, inter alia:

a plurality of keys arranged in the case in a predetermined pattern, wherein each key comprises a base pin, and identifiers that correspond to a predetermined symbol marked on each key

Houston is directed to an interchangeable keyboard with self-defining keys. Each of the self-defining keys of Houston includes a key post, the bottom of which includes eight cylindrical cavities. *Houston*, cols. 2-3, lines 60-7. Metallic pins may be inserted into the cylindrical cavities in various combinations so as to uniquely identify each key. *Houston*, col. 3, lines 7-13.

In contrast to the above-recited features of the present application, Houston discloses using from one to eight pins for key identification. *Houston*, col. 3, lines 13-20. That is, Houston contemplates using various combinations of pins for identification only. The Applicants have found no suggestion in Houston of a base pin, or of at least one identification pin spaced from the base pin. Accordingly, the Applicants respectfully submit that Houston cannot properly be relied upon for teaching or suggesting the base pin or the at least one identification pin, as recited in claim 1, or the base pin and identifiers, as recited in claim 22.

The Applicants respectfully submit that since Houston fails to teach or suggest all of the features of claims 1 and 22, these claims are allowable over Houston. Thus, withdrawal of the 102 rejection is respectfully requested.

#### REJECTION UNDER 35 U.S.C. §103

At page 4 of the Office Action, claims 2-21 and 23-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Houston. Claims 2, 3 and 25 have been amended for clarification. However, as the cited art may still relate to these claims, and with respect to the remaining claims, this rejection is traversed and reconsideration is respectfully requested for at least the following reasons.

Regarding the rejection of claims 2-7 and 23-25, these claims depend directly or indirectly on one of independent claims 1 or 22, and are therefore believed to be allowable for at least the reasons noted above.

Further, regarding the dependent claims, the Applicants note that the contentions appearing in the Office Action are factually inaccurate. Regarding claim 2, for example, the Examiner states that

[s]ince, there is no benefit or advantage to having the base pin longer than the identification pin described in the specification, it would be obvious to one of ordinary skill in the art to either have all the pins be the same length or have a base pin be longer than the remaining pins based on a designer's choice.

The Applicants note paragraph [0035] of the specification as originally filed, which states in relevant part:

[0035] Preferably, the identification pin 33 is shorter than the base pin 31, so that when a key 11 is pushed, the base pin 31 first touches the key signal input plate 50 and then the identification pin 33 touches or does not touch the key signal input plate 50. Therefore, an operation signal related to whether a certain key 11 is operated or not is first input, and then the specific signal corresponding to the symbol of the certain key 11 is input.

As can be seen, the specification notes a reason for reciting that the base pin longer than the identification pin. Accordingly, each contention is traversed.

Further, the legal ground upon which several of the rejections is premised is unsound. To set forth a prima facie obviousness case, evidenced motivation must be provided indicating why one skilled in the art would be motivated, led, or suggested to modify an existing reference in view of another reference. In addition, it is also improper to base a rejection on the claimed feature being merely a design choice. See *In re Garrett*, 1986 Pat. App. LEXIS 8 (Bd. Pat. App. 1986), where the U.S. Patent and Trademark Office Board of Patent Appeals and Interferences ("Board") specifically stated: "the examiner has not presented any line of reasoning as to why the artisan would have been motivated to so modify the...structure, and we know of none. The examiner's assertion...that the proposed modification would have been 'an obvious matter of engineering design choice well within the level of skill of one of ordinary skill in the art' is a conclusion, rather than a reason." Similar discussions can be seen in *In re Chu*, 36 USPQ2d 1089 (Fed. Cir. 1995). Accordingly, the Applicants respectfully request withdrawal of the rejection.

Turning to the remaining claims, independent claim 8 recites, inter alia:

a frame, disposed in the case, that each key detachably links with to maintain a chosen position

Independent claim 14 recites, inter alia:

a case that houses the frame, key signal input plate and the keys.

At pages 6 and 9 of the Office Action, the Examiner admits that Houston fails to teach or suggest the above-recited features. Instead, the Examiner contends that these features are obvious design choices. As noted above, such a contention is legally improper. Accordingly, the Applicants respectfully request withdrawal of the rejection.

Regarding the rejection of claims 9-13 and 15-21, these claims depend directly or indirectly on one of independent claims 8 or 14, and are therefore believed to be allowable for at least the reasons noted above.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

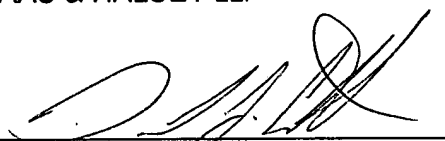
If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
STAAS & HALSEY LLP

Date:

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By:



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